

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

DARRELL HINSON,  
Plaintiff,

VS.

WARDEN RANDALL LUCAS,  
Defendant.

CV 98-H-0199-E

FILED  
98 MAY -5 AM 11:53  
U.S. DISTRICT COURT  
N.D. OF ALABAMA  
jm

**ENTERED**

MAY - 5 1998

## MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on April 10, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief can be granted. No objections have been filed. .

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b)(1) for failing to state a claim upon which relief can be granted. An order of dismissal will be entered.

DATED this 5<sup>th</sup> day of MAY, 1998.

*James H. Hancock*  
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JAMES H. HANCOCK  
SENIOR JUDGE